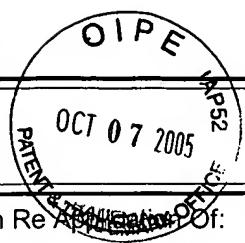


FFW



**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
6491800-0114

In Re Application Of: **Bruce M. Nesbitt**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/649,199	Augsut 27, 2003	Kenneth C. Williams	24573	3739	5138

Title: **ANTI-MICROBIAL ELECTROSURGICAL ELECTRODE AND METHOD OF MANUFACTURING SAME**

COMMISSIONER FOR PATENTS:


Transmitted herewith is:

Transmittal Letter in duplicate; Response to Restriction Requirement on 2 pages; and return receipt postcard.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
 - ☐ Charge the amount of _____
 - ☐ Credit any overpayment.
 - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

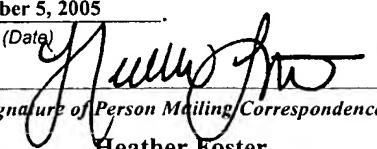
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



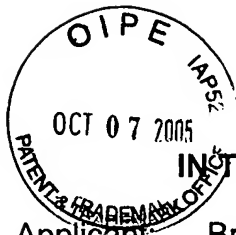
Signature

**Adam H. Masia (Reg. No. 35,602)
Customer No. 24573**

Dated: **October 5, 2005**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on October 5, 2005 (Date)	
	
Signature of Person Mailing Correspondence Heather Foster	
Typed or Printed Name of Person Mailing Correspondence	

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce M. Nesbitt
Appl. No.: 10/649,199
Conf. No.: 5138
Filed: August 27, 2003
Title: ANTI-MICROBIAL ELECTROSURGICAL ELECTRODE AND METHOD
OF MANUFACTURING SAME
Art Unit: 3739
Examiner: Kenneth C. Williams
Docket No.: 6491800-0114

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Please enter this response in the above-identified patent application.

REMARKS

This Response is submitted in reply to the Office Action mailed on September 8, 2005. No fees are due with this Response. Please charge Deposit Account No. 02-1818 for any insufficiency or credit for any overpayment.

The Office Action issued a restriction requirement under 35 U.S.C. § 121, which required Applicant to elect a single disclosed species for prosecution on the merits. The Office Action stated that the claims are directed to the following patentably distinct species of the claimed invention:

Species I: Figures 1A and 1B

Species II: Figures 1C and 1D

Species III: Figure 1E

Species IV: Figure 1F

Species V: Figure 1G

Species VI: Figure 1H

Species VII: Figure 1I

Species VIII: Figure 1J

Species XI: Figures 3C and 3D

Species XII: Figure 5A

Species XIII: Figure 5B

Species XIV: Figures 5C and 5D

Species XV: Figures 6A to 6C

Species XVI: Figures 7A and 7B

Species XVII: Figures 7C and 7D

Species XVIII: Figures 7E and 7F